



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,155	07/15/2003	Gregorio O. Loveria III		1916

7590 06/05/2007
Gregorio O. Loveria III
NAMS International, Inc.
111 Shaw Road
Conklin, NY 13748

EXAMINER

JUNG, DAVID YIUK

ART UNIT	PAPER NUMBER
----------	--------------

2134

MAIL DATE	DELIVERY MODE
-----------	---------------

06/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/622,155

Applicant(s)

LOVERIA, GREGORIO O.

Examiner

David Y. Jung

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

CLAIMS PRESENTED

Claims 7-21 are presented.

Allowable Subject Matter

Claims 10, 15, 20 seem to have allowable subject matter. Currently, however, these claims are not completely clear. See the rejections under 35 USC. 112.

The following is a statement of reasons for the indication of allowable subject matter: Claims 10, 15, 20 contain the feature indicated from the phrase "wherein displaying comprises sequentially extracting, from the encrypted multimedia presentation data file, decrypted data portions and or decrypted component data files associated with concurrently displayed and decrypted components; and the method further comprising extracting, from the encrypted multimedia presentation data file, portions of decrypted audio data or a decrypted audio file or files synchronized with the decrypted displayed components." In the context of the other limitations (features) of the claims, this particular feature was not taught by the prior art.

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to clearly show the features as described in claims 10, 15, 20. In addition, Applicant is respectfully requested to address the issues noted in the rejections under 35 USC 112. A correction and/or explanation of the drawings may assist the prosecution of this case.

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

CLAIM REJECTIONS

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10, 15, 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In these claims, the antecedents of the terms "components" and "decrypted components" and "decrypted component data files" and "decrypted data portions" are not clear. From the context of the independent claims (the claims from which claims 10, 15, 20 depend), these "components" and "decrypted components" and "decrypted component data files" and "decrypted data portions" can be interpreted in more than one way.

Applicant is respectfully requested to clarify this situation by doing the following:

(1) Point out, in the figures, the location of these "components" and "decrypted components" and "decrypted component data files" and "decrypted data portions"

(2) Amend the claims so as to have all terms be referred in exactly consistent way. For example, in traditional patent language, each time a term is used for the first time, an indefinite article or no article is used. When a term is used in the later times, a definite article (such as "said" or "the") is used. When a term is used to refer to more than one item, then cardinal language is used (such as "first" item and "second" item). For instance, the Office has trouble understanding as to which components are being decrypted, and which items are being synchronized with which other items.

Claims 7-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The current record of the claims seems to haven

Art Unit: 2134

been incompletely transmitted. In some cases, words are missing letters. For instance, in claim 7, "multm dia" is recited in the first line. Applicant probably meant "multimedia." This is not all. In claim 15, last line, "contain d" is recited. Applicant probably meant "contained." These are not the only examples. Applicant is respectfully requested make appropriate corrections, such as by sending a complete and correct set of claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-9, 11, 12-14, 16, 17-19, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Konstantas (Dimitris Thanos and Dimitri Konstantas, "Commercial Dissemination of Video over Open Networks: Issues and Approaches," Internet Objects, D. Tsihrizis (Ed.), Centre Universitaire d'Informatique, University of Geneva, September 2000).

Regarding claim 1, Konstantas teaches "A method for providing a multimedia presentation to a computer user or to users of devices with a central processing unit equipped with an Output display and audio device, comprising: receiving from a server

Art Unit: 2134

or other transmission devices or by radio and other frequencies in known broadcast and telecommunication spectrums, an encrypted multimedia presentation data file, the multimedia presentation data file which includes and contains or may contain elements of encrypted video component data and files, encrypted audio component data and files, encrypted text component data and files, encrypted hyperlinks and [] component data and files, encrypted still raster image or graphic component data and files, encrypted motion or still vector image or graphic component data and files, and encrypted synchronization data; (section 1. Introduction, i.e., discussion on internet video on demand)

displaying a graphical user interface comprising at least first and second display areas for display of decrypted multimedia component data or files and user display controls to interactively display a decrypted multimedia presentation; and concurrently displaying, in the first and second display areas, decrypted multimedia presentation component data or files respectively associated with the first and second display areas, in accordance with user commands entered through the user display controls and further in accordance with the decrypted synchronization data. (section 4.2 "Public Video Reception ..." i.e., synchronization between the main content and encrypted part components)."

These passages of Konstantas do not teach "HTML" in the sense of the claim.

Nevertheless, it was well known in the art to have a "HTML" for the motivation of having easier control of display data.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify the teachings of Konstantas for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claims 8,9,11, the following is noted.

Claim 8: such GUI multiple display areas, etc. are well known in the art (e.g., Windows) for the motivation of providing concurrent display.

Claim 9: such sequential extracting, etc. are well known in the art (e.g., streaming video) for the motivation of providing immediate access to video.

Claim 11: such identifier is well known (e.g., file name) is well known for the motivation of distinguishing among files.

Regarding claims 12-14, 16, these are system analogs of claims 7-9, 11. For the reasons noted in the rejections of claims 7-9, 11, these claims are unpatentable.

Regarding claims 17-19, 21 these are computer readable medium analogs of claims 7-9, 11. For the reasons noted in the rejections of claims 7-9, 11, these claims are unpatentable.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

Points of Contact

Art Unit: 2134

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Kambiz Zand whose telephone number is (272) 272-3811.

David Jung


A handwritten signature in black ink, appearing to be 'DJ' followed by a stylized flourish.

Application/Control Number: 10/622,155

Page 9

Art Unit: 2134

Patent Examiner

A handwritten signature in black ink, consisting of a large loop followed by a series of smaller loops and a long horizontal stroke.

6/1/07